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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/786,704	HLASNY ET AL.	
	Examiner	Art Unit	
	Richard G. Keehn	4121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *2/24/2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 February 2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/24/2004*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-20 are examined and are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 7 and 17 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

As to claim 7, in the DETAILED DESCRIPTION section of the specification, applicants have stated "if the user declines connection to the second legacy entertainment source device, a third short-pulse power command instructs the source-side network adaptor 108 to select a third legacy entertainment source device by choosing a legacy entertainment source device from the list that was not flagged on either the first or second power command." Said statement is evidence that the invention is different from what is defined in the claim, because claim 7 reads "[t]he system of claim 5, wherein said output selecting module is adapted for selecting said first entertainment output based on one or more third commands from said first wireless controller." The claim states that the ***first*** entertainment source device is selected ***with***

a third command, yet the specification states the ***third*** entertainment source is selected ***with a third command***. The two statements are in conflict, hence claim 7 fails to particularly point out and distinctly claim the subject matter which the applicants regard as their invention.

As to claim 17, in the DETAILED DESCRIPTION section of the specification, applicants have stated "if the user declines connection to the second legacy entertainment source device, a third short-pulse power command instructs the source-side network adaptor 108 to select a third legacy entertainment source device by choosing a legacy entertainment source device from the list that was not flagged on either the first or second power command." Said statement is evidence that the invention is different from what is defined in the claim, because claim 17 reads "[t]he method of claim 15, further comprising selecting said first entertainment output based on one or more third commands from said first wireless 10 controller." The claim states that the ***first*** entertainment source device is selected ***with a third command***, yet the specification states the ***third*** entertainment source is selected ***with a third command***. The two statements are in conflict, hence claim 17 fails to particularly point out and distinctly claim the subject matter which the applicants regard as their invention.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1-7, and 11-17 are rejected under 35 U.S.C. 102(a) as being anticipated by DigitalDeck Incorporated's "DigitalDeck Entertainment Network" (DDen), whose literature includes:

- DigitalDeck Entertainment Network User Guide;
- DigitalDeck Entertainment Network Installation Guide.

The references are incorporated by reference by each other by virtue of their respective disclosures of DDen.

As to Claim 1, DDen teaches a system for adapting one or more legacy entertainment sources for coupling to and remote operation over a network, to provide selected entertainment output of the sources to an output device (DDen User Guide, Page 1-2, along with DDen Installation Guide, page 1 describe a system that adapts one or more legacy entertainment sources for coupling to and remote operation over Ethernet, and providing selected entertainment output of the sources to a legacy output device), the system comprising:

a first source-side network adaptor for coupling a first one of the one or more legacy entertainment sources to the network, said first source-side network adaptor

being adapted for receiving first entertainment output of said first legacy entertainment source and forwarding said first entertainment output to the network (DDen User Guide, Page 1-5, first bullet describes sending content from receivers, DVD players, VCR's etc. to the MX1000 which is on the network); and

an output-side network adaptor for coupling the output device to the network (DDen User Guide, Page 1-6, describes the eDeck connecting output devices such as television or stereo receiver to the network), and

receiving one or more first commands from a first wireless controller capable of operating said first legacy entertainment source (DDen User Guide, Page 1-7 describes the universal remote control unit capable of communicating with all connected legacy devices), said output-side network adaptor including an output selecting module for selecting said first entertainment output based on said one or more first commands (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX1000, which is based on the output of the remote control unit's first {or any numbered} command.).

As to Claim 2, DDen teaches the system of claim 1, wherein said output-side network adaptor is further adapted for receiving the selected said first entertainment output from the network and providing the selected said first entertainment output to the output device (DDen User Guide, Page 1-6 describes the eDeck converting the digital

entertainment signals from the MX1000 to analog, then outputting said converted signal to legacy output devices).

As to Claim 3, DDen teaches the system of claim 2, wherein said first source-side network adaptor is adapted for indicating to said output selecting module whether a first condition that said first legacy entertainment source is activated by said one or more first commands is true (DDen User Guide, Page 1-6 describes the MX1000 and DigitalDeck Advanced Media manager software that manages communications between eDeck devices. DDen Installation Guide, Pages 6-11 describe configuring the devices into the software such that it can map the devices' addresses. Each eDeck device is programmed into the software and the MX1000 can detect whether or not the eDeck has entertainment data queued up to be transmitted to through it, indicating a "true" condition that data is available), and

wherein said output selecting module is adapted for selecting said first entertainment output only if said first condition is true (DDen User Guide, Page 1-6, once the MX1000 has determined which output to send and to which device, and that the source is ready to send indicating the "true" condition, the source data is sent to the output device's eDeck and converted. The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to).

As to Claim 4, DDen teaches the system of claim 3, wherein said output-side network adaptor is further adapted for receiving one or more other commands from a

second wireless controller capable of operating a second one of the legacy entertainment sources (DDen User Guide, Page 1-7 describes the remote control, which is universal and configurable for all legacy devices connected to the network via eDeck units. A user could either use the remote to select a second source, thus providing a second source for remote control, then operate it; or use a redundant remote controller configured the same as the first.),

wherein the system further comprises a second source-side network adaptor for coupling said second legacy entertainment source to the network (DDen User Guide, Page 1-9 illustrates an example of using multiple eDeck units controlling both source and output legacy entertainment devices),

for receiving second entertainment output of said second legacy entertainment source (DDen User Guide, Page 1-10 describes the use of the second source's output, in fact multiple sources),

for forwarding said second entertainment output to the network (DDen User Guide, Page 1-6 describes the conversion of source signals and sending them to the MX1000 on the network), and

for indicating to said output selecting module whether an other condition that said second legacy entertainment source is activated by said one or more other commands is true (DDen User Guide, Page 1-6, once the MX1000 has determined which output to send and to which device, and that the source is ready to send indicating the "true" condition, the source data is sent to the output device's eDeck and converted. The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to), and

wherein said output selecting module is further adapted for selecting said second entertainment output only if said other condition is true (DDen User Guide, Page 1-6, The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to, and this will not take place unless the MX1000 has previously determined that the second source's condition is "true", i.e. that its data is available).

As to Claim 5, DDen teaches the system of claim 1, wherein said first source-side network adaptor is adapted for indicating to said output selecting module whether a first condition that said first legacy entertainment source is activated by said one or more first commands is true and said output selecting module is adapted for selecting said first entertainment output only if said first condition is true (DDen User Guide, Page 1-6, the source legacy device's output is read by its eDeck, which communicates to the MX1000 that it has data to be used. Once the MX1000 has determined which output to send and to which device, and that the source is ready to send indicating the "true" condition, the source data is sent to the output device's eDeck and converted. The MX1000 will indicate to the output device's eDeck which output device that eDeck will broadcast to),

the system further comprising a second source-side network adaptor for coupling a second one of the legacy entertainment sources to the network (DDen User Guide, Page 1-9 illustrates an example of using multiple eDeck units controlling both source and output legacy entertainment devices),

said second source-side network adaptor being adapted for receiving second entertainment output of said second legacy entertainment source and indicating to said output selecting module whether a second condition that said second legacy entertainment source is activated by said one or more first commands is true (DDen User Guide, Page 1-6 describes the eDeck converting the digital entertainment signals from the MX1000 to analog, which in doing so, indicates the "true" condition),

wherein said output selecting module is adapted for selecting said second entertainment output based on one or more second commands from said wireless controller (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX 1000, which is based on the output of the remote control unit's first {or any numbered} command.).

As to Claim 6, DDen teaches the system of claim 5, wherein said output-side network adaptor is further adapted for receiving the selected said second entertainment output from the network and providing the selected said second entertainment output to the output device (DDen User Guide, Page 1-6 describes the eDeck receiving entertainment output from the MX1000 on the network, which can accept the output of a second source device through its eDeck, and being capable of selecting the television and/or stereo.).

As to Claim 7, DDen teaches the system of claim 5, wherein said output selecting module is adapted for selecting said first entertainment output based on one or more third commands from said first wireless controller (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX1000, which is based on the output of the remote control unit. This can be the first, second, third, or any numbered command.).

As to Claim 11, DDen teaches a method for adapting one or more legacy entertainment sources for coupling to and remote operation over a network, to provide selected entertainment output of the sources to an output device (DDen User Guide, Page 1-2, along with DDen Installation Guide, page 1 describe a system that adapts one or more legacy entertainment sources for coupling to and remote operation over Ethernet, and providing selected entertainment output of the sources to a legacy output device), the method comprising:

receiving first entertainment output of said first legacy entertainment source and forwarding said first entertainment output to the network (DDen User Guide, Page 1-5, first bullet describes sending content from receivers, DVD players, VCR's etc. to the MX1000 which is on the network);

receiving one or more first commands from a first wireless controller capable of operating said first legacy entertainment source (DDen User Guide, Page 1-7 describes

the universal remote control unit capable of communicating with all connected legacy devices); and

selecting said first entertainment output based on said one or more first commands (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX 1000, which is based on the output of the remote control unit's first {or any numbered} command.).

As to Claim 12, DDen teaches the method of claim 11, further comprising receiving the selected said first entertainment output from the network and providing the selected said first entertainment output to the output device (DDen User Guide, Page 1-6 describes the eDeck converting the digital entertainment signals from the MX1000 to analog, then outputting said converted signal to legacy output devices).

As to Claim 13, DDen teaches the method of claim 12, further comprising determining whether a first condition that said first legacy entertainment source is activated by said one or more first commands is true (DDen User Guide, Page 1-6 describes the MX1000 and DigitalDeck Advanced Media manager software that manages communications between eDeck devices. DDen Installation Guide, Pages 6-11 describe configuring the devices into the software such that it can map the devices' addresses. Each eDeck device is programmed into the software and the MX1000 can

detect whether or not the eDeck has entertainment data queued up to be transmitted to through it, indicating a "true" condition that data is available.),

and selecting said first entertainment output only if said first condition is true (DDen User Guide, Page 1-6, The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to, and this will not take place unless the MX1000 has previously determined that the second source's condition is "true", i.e. that data is available).

As to Claim 14, DDen teaches the method of claim 13, further comprising: receiving one or more other commands from a second wireless controller capable of operating a second one of the legacy entertainment sources (DDen User Guide, Page 1-7 describes the remote control, which is universal and configurable for all legacy devices connected to the network via eDeck units. A user could either use the remote to select a second source, thus providing a second source for remote control, then operate it; or use a redundant remote controller configured the same as the first.);

receiving second entertainment output of said second legacy entertainment source (DDen User Guide, Page 1-10 describes the use of the second source's output, in fact multiple sources)

and forwarding said second entertainment output to the network (DDen User Guide, Page 1-6 describes the conversion of source signals and sending them to the MX1000 on the network);

determining whether an other condition that said second legacy entertainment source is activated by said one or more other commands is true (DDen User Guide, Page 1-6, once the MX1000 has determined which output to send and to which device, when the source is ready to send its output it indicates the "true" condition); and

selecting said second entertainment output only if said other condition is true (DDen User Guide, Page 1-6, The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to, and this will not take place unless the MX1000 has previously determined that the second source's condition is "true", i.e. that data is available).

As to Claim 15, DDen teaches the method of claim 11, further comprising determining whether a first condition that said first legacy entertainment source is activated by said one or more first commands is true (DDen User Guide, Page 1-6, once the MX1000 has determined which output to send and to which device, when the source is ready to send its output it indicates the "true" condition),

selecting said first entertainment output only if said first condition is true (DDen User Guide, Page 1-6, The MX1000 will indicate to the eDeck which output device the eDeck will broadcast to, and this will not take place unless the MX1000 has previously determined that the second source's condition is "true", i.e. that data is avail),

receiving second entertainment output of said second legacy entertainment source (DDen User Guide, Page 1-10 describes the use of the second source's output, in fact multiple sources),

determining whether a second condition that said second legacy entertainment source is activated by said one or more first commands is true (DDen User Guide, Page 1-6, once the MX1000 has determined which output to send and to which device, when the source is ready to send its output it indicates the "true" condition), and

selecting said second entertainment output based on one or more second commands from said first wireless controller (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX 1000, which is based on the output of the remote control unit's first {or any numbered} command. The remote control is capable of selecting any source and output destination.).

As to Claim 16, DDen teaches the method of claim 15, further comprising receiving the selected said second entertainment output from the network and providing the selected said second entertainment output to the output device (DDen User Guide, Page 1-6 describes the eDeck receiving entertainment output from the MX1000 on the network, and being capable of selecting the television and/or stereo and sending the output to that device. This can be the first, second, third, etc. entertainment output).

As to Claim 17, DDen teaches the method of claim 15, further comprising selecting said first entertainment output based on one or more third commands from said first wireless controller (DDen User Guide, Page 1-6 describes the eDeck being capable of selecting the television and/or stereo, which means it can discriminate. This selection is based on signals from the MX 1000, which is based on the output of the remote control unit. This can be the first, second, third, or any numbered command.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 8-10, and 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over DDen as applied to claims 5 and 15 above, and further in view of Installing and Configuring the Cisco Secure ACS Appliance, posted on the world wide web 06/20/2003, 78-14573-01, page 3-10. http://www.cisco.com/univercd/cc/td/doc/product/access/acs_soft/csacsapp/install/instalap.htm. (Cisco), and US 4,808,992 (Beyers Jr. et al.).

As to Claim 8, DDen teaches the system of claim 5, wherein said first wireless controller includes an input switch adapted, upon activation by a user thereof, to transmit a power command capable of powering said first and said second legacy entertainment devices on or off (DDen User Guide, Page 1-8 illustrates the Power on/off switch. Page 1-7 describes being able to turn on and off devices on the network. This switch can be used to power up and down any device on the network),

wherein said one or more second commands includes said power command (DDen User Guide, Page 1-7 describes being able to turn on and off devices on the network based on a power command), and

select said second entertainment output (DDen User Guide, Page 1-7 describes being able to select and control devices on the DDen through DigitalDeck menus) and

send said power command to said first source-side network adaptor for blasting to said first legacy entertainment device, for turning off said first legacy entertainment device (DDen User Guide, Page 1-8 illustrates the Power on/off switch. Page 1-7 describes being able to turn on and off devices on the network).

DDen does not teach, but Cisco teaches wherein said output-side network adaptor is adapted to recognize a duration of said activation (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn on and off the appliance such that pressing while OFF will change the state to ON; and pressing while ON will change the state to OFF *only if* the button is pressed and held, implying a minimum duration of time, longer than a standard press operation, to recognize that the appliance is to be turned off) and,

if said duration is within a first predetermined range (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn on and off the appliance such that pressing while off will change the state to on, and pressing while on will change the state to off only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned off).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of waiting a predetermined duration of time before turning off a device taught by Cisco, with the method of turning on and off devices on the network by using the power on/off button on the remote control(s) taught by DDen.

One of ordinary skill in the art at the time the invention was made would have been motivated to avoid accidental device shutoffs by ensuring that the off command was intended by the user by sensing the duration of time.

As to Claim 9, the combination of DDen and Cisco teaches claim 8 and said output-side network adaptor is adapted to send said power command (DDen User Guide, page 1-9 describes the method of sending commands from the remote control, through the eDeck, to the MX1000, to another eDeck then to the device), and

legacy entertainment devices (DDen User Guide, page 1-2 describes the connection of legacy entertainment devices onto the DDen), and

for blasting (DDen Installation Guide, page 3, item 6 describes connecting the IR emitters which "blast" infrared control signals to legacy devices), and

source-side network adaptors (DDen User Guide, page 1-5 describes the eDeck, which is a source and destination side network adapter), and

if said duration is within a second predetermined range distinct from said first range (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn on and off the appliance such that pressing while off will change the state to on, and pressing while on will change the state to off only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned off).

The combination of DDen and Cisco does not teach, but Beyers Jr. et al. teach to said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently), and

to both of said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently), and

for turning off both said first and second [sic] devices (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of turning off multiple devices concurrently taught by Beyers Jr. et al., with the method of turning off legacy entertainment devices on the network based on a predetermined length of OFF signal time taught by the combination of DDen and Cisco.

Although DDen allows you to individually control powering up and down the legacy device adapters, one of ordinary skill in the art at the time the invention was made would have been motivated add the flexibility to turn off all adapters and associated devices concurrently with a single command to expedite the power-down process.

As to Claim 10, the combination of DDen, Cisco and Beyers Jr. et al. teaches the system of claim 9, and

wherein said switch is adapted for activation by pressing said switch, and wherein said first predetermined range corresponds to pressing said switch a short time and wherein said second predetermined range corresponds to pressing said switch a long time (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn ON and OFF the appliance such that

pressing while OFF will change the state to ON, and pressing while ON will change the state to OFF only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned OFF ,vs. ON).

As to Claim 18, DDen teaches the method of claim 15, wherein said first wireless controller includes an input switch adapted, upon activation by a user thereof, to transmit a power command capable of powering said first and said second legacy entertainment devices on or off (DDen User Guide, Page 1-8 illustrates the Power on/off switch. Page 1-7 describes being able to turn on and off devices on the network. This switch can be used to power up and down any device on the network), and

wherein said one or more second commands includes said power command (DDen User Guide, Page 1-7 describes being able to turn on and off devices on the network based on a power command), and

selecting said second entertainment output (DDen User Guide, Page 1-7 describes being able to select and control devices on the DDen through DigitalDeck menus), and

sending said power command to said first source-side network adaptor for blasting to said first legacy entertainment device, for turning off said first legacy entertainment device (DDen User Guide, Page 1-8 illustrates the Power on/off switch. Page 1-7 describes being able to turn on and off devices on the network).

DDen does not teach, but Cisco teaches the method further comprising recognizing a duration of said activation (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn on and off the appliance such that pressing while OFF will change the state to ON; and pressing while ON will change the state to OFF *only if* the button is pressed and held, implying a minimum duration of time, longer than a standard press operation, to recognize that the appliance is to be turned off) and,

if said duration is within a first predetermined range (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn on and off the appliance such that pressing while off will change the state to on, and pressing while on will change the state to off only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned off),

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of waiting a predetermined duration of time before turning off a device taught by Cisco, with the method of turning on and off devices on the network by using the power on/off button on the remote control(s) taught by DDen.

One of ordinary skill in the art at the time the invention was made would have been motivated to avoid accidental device shutoffs by ensuring that the off command was intended by the user by sensing the duration of time.

As to Claim 19, the combination of DDen and Cisco teaches the method of claim 18, wherein, if said duration is within a second predetermined range distinct from said first range (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn on and off the appliance such that pressing while off will change the state to on, and pressing while on will change the state to off only if the button is pressed and held, implying a predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned off), and

the method further comprises sending said power command to (DDen User Guide, page 1-9 describes the method of sending commands from the remote control, through the eDeck, to the MX1000, to another eDeck then to the device), and

source-side network adaptors (DDen User Guide, page 1-5 describes the eDeck, which is a source and destination side network adapter), and

for blasting (DDen Installation Guide, page 3, item 6 describes connecting the IR emitters which "blast" infrared control signals to legacy devices), and

legacy entertainment devices (DDen User Guide, page 1-2 describes the connection of legacy entertainment devices onto the DDen).

The combination of DDen and Cisco does not teach, but Beyers Jr. et al. teach said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently), and

to both of said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently), and

for turning off both said first and second (Beyers Jr., Figure 2 shows the switching off of multiple devices concurrently).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the method of turning off multiple devices concurrently taught by Beyers Jr. et al., with the method of turning off legacy entertainment devices on the network based on a predetermined length of OFF signal time taught by the combination of DDen and Cisco.

Although DDen allows you to individually control powering up and down the legacy device adapters, one of ordinary skill in the art at the time the invention was made would have been motivated add the flexibility to turn off all adapters and associated devices concurrently with a single command to expedite the power-down process.

As to Claim 20, the combination of DDen, Cisco and Beyers Jr. et al. teaches the method of claim 19, wherein said switch is adapted for activation by pressing said switch, and wherein said first predetermined range corresponds to pressing said switch a short time and wherein said second predetermined range corresponds to pressing said switch a longer time (Cisco, the section on "Powering On the Cisco Secure ACS Appliance" describes the use of the power switch to turn ON and OFF the appliance such that pressing while OFF will change the state to ON, and pressing while ON will change the state to OFF only if the button is pressed and held, implying a

predetermined range of time, longer than a standard press operation, to recognize that the appliance is to be turned OFF ,vs. ON).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. These include:

- Applicant disclosed prior art:
    - US 3,922,641 – Automatic Video and Audio Source Selector for Entertainment Center
    - US 3,956,591 – Two-Input Automatic Source Selector for Stereo Entertainment Center
    - US 6,346,927 B1 – Automatic Video Input Detection / Selection Circuitry for a Monitor with Multiple Video Inputs
    - US 2001/0053274 A1 – System and Method for Remote Control of Consumer Electronics Over Data network with Visual Feedback
    - PCT WO 00/17737 – Remote Control Device with Location Dependent Interface
- US 5,250,989 – describes the limitation of automatically turning off a resource when it is no longer needed. (reads on claims 8 and 18)
- US 2004/0163073 A1 – manages legacy entertainment devices.
- US 2005/0097478 A1 - manages networked legacy entertainment devices.
- US 2004/0255327 A1 - manages networked legacy entertainment devices.

- US 7,242,316 B2 – manages networked legacy entertainment devices.
- US 2004/0125787 A1 – manages networked legacy entertainment devices.
- US 2004/0125779 A1 – manages networked legacy entertainment devices.
- US 2004/0125777 A1 – manages networked legacy entertainment devices.
- DigitalDeck Inc., website advertisement posted on 02/16/2004, "DigitalDeck Entertainment Network - Watch what you want, when you want, where you want it", pages 1 and 2. – demonstrates primary reference was know to the public prior to applicant's filing date.
- Sandy and Dave's Report on The Broadband Home, December 14, 2003, System Dynamics, Inc., pages 1-3. – demonstrates primary reference was known to the public prior to applicant's filing date.
- Findarticles.com article posted December 8, 2003 announces DigitalDeck Entertainment Network product unveiling on January 8-11, 2004 at CES tradeshow. pages 1-3. – demonstrates primary reference was known to the public prior to applicant's filing date.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard G. Keehn whose telephone number is 571-270-5007. The examiner can normally be reached on Monday through Thursday, 9:30am - 6:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi Arani can be reached on 571-272-3787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TAGHI ARANI
PRIMARY EXAMINER
10/12/07

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10/10/2007